

# Hearing Officer Transmittal Checklist

Hearing Date  
October 21, 2014  
Agenda Item No.

8

Project Number: R2014-01794-(1)  
Case: Conditional Use Permit Case No. 201400071  
Planner: Jeantine Nazar

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☒ Project Description
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Previous Approval Conditions and Findings
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

Reviewed By: \_\_\_\_\_





Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**

R2014-01794 – (1)

**HEARING DATE**

October 21, 2014

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201400071

Environmental Assessment No. 201400137

## PROJECT SUMMARY

**OWNER / APPLICANT**

Verizon Wireless

**MAP/EXHIBIT DATE**

01/31/2014

**PROJECT OVERVIEW**

The applicant requests a conditional use permit for the continued operation and maintenance of a wireless telecommunications facility in the M-2 zone. The project will remove four existing antennas and will replace with three like and one antenna 24" higher as well as additional appurtenant equipment. The lease area and the height of the antennas remain unchanged.

**LOCATION**

1747 N Eastern Avenue

**ACCESS**

Eastern Avenue

**ASSESSORS PARCEL NUMBER(S)**

5223-037-020

**SITE AREA**

0.01 Acres

**GENERAL PLAN / LOCAL PLAN**

East Los Angeles Community Plan

**ZONED DISTRICT**

City Terrace

**LAND USE DESIGNATION**

I-Industrial

**ZONE**

M-2 (Heavy Manufacturing)

**PROPOSED UNITS**

None

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

East Los Angeles

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.118 (East Los Angeles CSD requirements)
  - 22.32.200 (M-2 Zone Development Standards)

**CASE PLANNER:**

Jeantine Nazar

**PHONE NUMBER:**

(213) 974 - 6435

**E-MAIL ADDRESS:**

jnazar@planning.lacounty.gov



### VICINITY MAP

SITE : 1747 N. EASTERN AVENUE - "VERIZON-WHITESIDE"

## **GC MAPPING SERVICE, INC.**

3055 WEST VALLEY BOULEVARD  
ALHAMBRA CA 91803

(626) 441-1080, FAX (626) 441-8850

[GCMAPPING@RADIUSMAPS.COM](mailto:GCMAPPING@RADIUSMAPS.COM)



### **ENTITLEMENTS REQUESTED**

Conditional Use Permit (CUP) for the continued operation and maintenance of a wireless telecommunications facility (WTF) located on the rooftop of an existing building in zone M-2 (Heavy Manufacturing). Pursuant to Section 22.32.190 a similar use of radio transmitter station or tower is a use subject to permit in zone M-2.

### **PROJECT DESCRIPTION**

The site plan depicts a 70,280 square-foot lot developed with three (3) four-story self-storage buildings and one single-story building, adjacent to each other, appearing as one. The subject lot includes three (3) additional stand-alone single-story buildings and 33 parking spaces.

The existing wireless facilities are mounted on the roof-top of the four-story buildings at two locations: the west side building and the building in the middle. Both sets of antennas are mounted on existing penthouses, which extend the height of the building from 42'-0" to 49'-9". The first location of the antennas, Beta and Gamma Plan, is the northwest corner of the four-story building on the west side and consists of eight panel antennas camouflaged behind a transparent screen wall. The second location depicted as Alpha Plan on the site plan, consists of four (4) panel antennas, four (4) feet in height, mounted on an existing penthouse located on the rooftop of the middle four-story building. An existing emergency generator is located on the ground in the parking area. The related equipment cabinets are located within one of the storage facility rooms.

The applicant is proposing to replace the three (3) antennas behind the screen on the northwest corner and to increase the height of the screen wall an additional two (2) feet. The applicant will increase the screen wall height to camouflage the existing and proposed antennas. The previous Exhibit "A" approval depicts the height of the transparent screen wall at 49'-9". The applicant is showing the maximum height of the proposed screen wall to be 50'-11". The applicant shall revise the plans to show accurate dimensions consistent with the previous approval.

The applicant is also proposing to replace one antenna mounted on the penthouse located on the building in the middle and color the antenna to match the existing. The proposed antenna upgrade includes three (3) new remote radio units (RRU) mounted behind each of the new replacement panel antennas, two raycap boxes, one on each side, and additional equipment in the equipment shelter within the building in one of the storage rooms.

### **PROJECT LOCATION**

The project is located at 1747 N. Eastern Avenue in the community of East Los Angeles and within the City Terrace Zoned District.

### **EXISTING ZONING**

The subject property is zoned M-2 (Heavy Manufacturing). Surrounding properties are zoned as follows:

North: C-3 (Unlimited Commercial)  
South: M-2  
East: M-2  
West: M-2

### **EXISTING LAND USES**

The subject property is developed with a self-storage facility. Surrounding properties within a 500-foot radius are developed as follows:

North: Multi-family residential and commercial  
South: Industrial (building supply, warehouse, light industrial)  
East: Parking, book store, auto repair  
West: Light industrial activities

### **PREVIOUS CASES/ZONING HISTORY**

CUP 200500025 approved the installation, operation, and maintenance of an unmanned WTF located on the rooftop of an existing self-storage building. The project included a 30 KW back-up emergency generator, with 52 gallon fuel tank, in the parking lot.

REA201300216 approved a 132 gallon fuel tank to replace the previous 52 gallon fuel tank for the existing 30 KW back-up generator. The REA required that the applicant obtain clearances from the Fire Department and Public Health.

CUP01-100 approved the installation and operation of an unmanned WTF on the rooftop of the building and associated equipment located within the building. The applicant in this case was AT&T/Cingular. The permit expired on June 30, 2012 and the applicant applied for a renewal, which will expire on July 3, 2027.

PK 87-489 approved the development of a self-storage building with less than the required parking spaces.

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. Staff found that the project will not have a substantial impact on the surrounding environment. The antennas are disguised behind a transparent screen and colored to blend in with the surrounding area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

### **STAFF EVALUATION**

#### General Plan/Community Plan Consistency

The project site is located within the Industrial land use category of the East Los Angeles Community Plan. This designation is intended for large scale industrial uses such as heavy manufacturing, large warehouses and research and development.

The proposed facility will be roof mounted and screened to minimize visual impact. The proposed WTF will provide increased wireless telephone service to the local community and to the State University located within a 1000-foot radius. The proposed project is compatible with the industrial land use classification of the East Los Angeles Community Plan; therefore, consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

Policy D.63-“Maintain high quality emergency response service.”

*The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the local residents, businesses and the State University of California in emergency situations.*

Further, the following Goals of the General Plan, Land Use Section, Part D, are applicable to the subject property and serve as guidelines for development:

“To provide for land use arrangements that take full advantage of existing public service and facility capacities:”

*The wireless facility will improve communication network for the residents in the area by providing service networks.*

#### **East Los Angeles Community Standards District**

The East Los Angeles Community Standards District Code Section 22.44.118 is established in order to provide a means of implementing special development standards for the unincorporated community of East Los Angeles. The East Los Angeles Community Standards District is necessary to ensure that the goals and policies of the adopted East Los Angeles Community Plan are accomplished in a manner which protects the health, safety and general welfare of the community. As per Los Angeles County Code Section 22.44.118.C part 1 and 2 the following standards apply:

The maximum height of any structure shall be 40 feet except that devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height or as otherwise specified in this section; said heights may be modified subject to a conditional use permit.

The proposed antennas would increase the height above the required 50 feet. Section 22.44.118.C.2 requires the maximum height of any structures or devices essential to industrial processes or communications related to public health and safety to be a maximum of 50 feet in height; said height may be modified subject to a conditional use permit. The applicant is proposing to modify the height requirement for an additional two (2) feet. The scale and intensity of the proposed structure is well suited in the surrounding neighborhood with industrial, commercial, institutional and multi-family uses of similar heights and scale.

Zoning Ordinance and Development Standards Compliance

The proposed wireless facility is located in the M-2 zone. A wireless telecommunications facility is not a defined use in the Zoning Ordinance, however, staff traditionally utilized the defined use of "radio and television stations and towers" as a comparable use. Radio and television stations and towers are uses subject to a CUP.

Section 22.52.1220 of the County Code determines parking requirements for uses that are not specified and requires that parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, typically once a month. The self-storage parking lot will accommodate the required parking space for maintenance vehicles.

Site Visit

Staff visited the site on August 21, 2014. Staff found that the subject rooftop WTF facilities are well camouflaged. The self-storage building is large in size and the rooftop facilities appear to fit in the overall shape and size of the building.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The subject wireless facility is not subject to agency reviews. However, generator tanks for back-up generators require approvals from DPW, Fire and Public Health. Staff requested that the applicant submit a copy of the permits from those agencies for the existing generator tank. Staff has not received the requested documents and included a condition requesting agency approvals.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

**PUBLIC COMMENTS**

Staff has not received any comments at this time in favor or against the project.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

**STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:



**PROJECT NO. R2014-01794-(1)**  
**CONDITIONAL USE PERMIT NO 201400071**

**STAFF ANALYSIS**  
**PAGE 5 OF 5**

Staff recommends **APPROVAL** of Project Number R2014-01794, Conditional Use Permit Number 201400071, subject to the attached conditions.

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400071 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Jeantine Nazar, RP/II, Zoning Permits East Section  
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

**Attachments:**

Draft Findings, Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Site Photographs, Aerial Image  
Site Plan, Land Use Map

MM: JN

September 26, 2014

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01794 - (1)  
CONDITIONAL USE PERMIT NO. 201400071**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400071 ("CUP") on October 21, 2014.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the continued operation and maintenance of a wireless telecommunications facility (WTF) located on a rooftop of an existing self-storage building ("Project") located at 1747 N. Eastern Avenue in the unincorporated community of East Los Angeles ("Project Site") in the M-2 (Heavy Manufacturing) zone pursuant to Los Angeles County Code ("County Code") Section 22.32.190.
3. The CUP is a request to continue the operation and maintenance of an unmanned WTF located on the rooftop of an existing four-story, self-storage building. The applicant is proposing to replace the three (3) antennas behind the screen on the northwest corner and to increase the height of the screen wall to an additional two (2) feet in order to camouflage the existing and proposed antennas. The previous Exhibit "A" approval depicts the height of the transparent screen at 49'-9". The applicant is proposing to increase the height of the screen wall, and shows the height to be 50'-11". The applicant shall revise the plans to show accurate dimensions consistent with the previous approval. The applicant is also proposing to replace one antenna mounted on the penthouse located on the middle building and color the antenna to match the existing. The proposed antenna upgrade includes three (3) new remote radio units (RRU) mounted behind each of the new replacement panel antennas, two raycap boxes, one on each side, and additional equipment in the equipment shelter within the building in one of the storage rooms.
4. The Project Site is 1.6 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with flat topography and is developed with self-storage facilities consisting of three (3) four-story buildings, adjacent to each other, appearing as one, and several single-story buildings.
5. The Project Site is located in the City Terrace Zoned District and is currently zoned M-2.
6. The Project Site is located within the Industrial land use category of the East Los Angeles Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
  - North: C-3 (Unlimited Commercial)
  - South: M-2
  - East: M-2

West: M-2

8. The subject property is developed with a self-storage facility. Surrounding land uses within a 500-foot radius include:

North: Multi-family residential and commercial  
South: Industrial (building supply, warehouse, light industrial)  
East: A parking lot, a book store, an auto repair  
West: Light industrial activities

9. The following permits have been approved for this project site:

- a. CUP 200500025 approved the installation, operation, and maintenance of an unmanned WTF located on the rooftop of an existing self-storage building. The project included a 30 KW back-up emergency generator, with 52 gallon fuel tank, in the parking lot.
- b. REA201300216 approved a 132 gallon fuel tank to replace the previous 52 gallon fuel tank for the existing 30 KW back-up generator. The REA required that the applicant obtain clearances from the Fire Department and Public Health.
- c. CUP01-100 approved the installation and operation of an unmanned WTF on the rooftop of the building and associated equipment located within the building. The applicant in this case was AT&T/Cingular. The permit expired on June 30, 2012 and the applicant applied for a renewal, which will expire on July 3, 2027.
- d. PK 87-489 approved the development of a self-storage building with less than the required parking spaces.

10. The Project Site is accessible from Eastern Avenue to the north.

11. Section 22.52.1220 of the County Code determines parking requirements for uses that are not specified and requires that parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, typically once a month. The self-storage parking lot will accommodate the required parking space for maintenance vehicles.

12. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued operation of a WTF, with negligible or no expansion of use beyond that which was previously existing. The project will not have a substantial impact on the surrounding environment. The antennas are

disguised behind a transparent screen and colored to blend in with the surrounding area.

13. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
14. The Regional Planning ("Regional Planning") staff has not received any comments
15. *To be inserted after the public hearing to reflect hearing proceedings.*
16. The Hearing Officer finds that the subject WTF includes a backup generator with a fuel tank, which requires approvals from County agencies.
17. The Hearing Officer finds that the wireless facility will improve communication network for the residents in the area.
18. The Hearing Officer finds that the proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the local residents, businesses and the State University of California in emergency situations.
19. The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the local residents, businesses and the State University of California in emergency situations. The wireless facility will improve communication network for the residents in the area by providing service networks. Therefore, the Hearing Officer finds that the proposed use with the attached conditions will be consistent with the adopted General Plan and East Los Angeles Community Plan.
20. The antennas are disguised behind a transparent screen and colored to blend in with the surrounding area. The Hearing Officer finds that the proposed use at the site will not have a substantial impact on the surrounding environment and will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
21. The proposed antennas would increase the height above the required 50 feet. Section 22.44.118.C.2 requires the maximum height of any structures or devices essential to industrial processes or communications related to public health and safety to be a maximum of 50 feet in height; said height may be modified subject to a conditional use permit. The applicant is proposing to modify the height requirement to an additional two (2) feet. The scale and intensity of the proposed structure is well suited in the surrounding neighborhood with industrial, commercial, institutional and multi-family uses of similar heights and scale. Therefore, Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the height and

other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

22. The access to the site is from Eastern Avenue, a major thoroughfare. Therefore, the Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
24. The Hearing Officer finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of community of East Los Angeles. On August 27, 2014 a total of 81 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four (4) notices to those on the courtesy mailing list for the City Terrace Zoned District and to any additional interested parties.
25. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**THEREFORE, THE HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit Number 201400071, subject to the attached conditions.

**ACTION DATE: October 21, 2014**

MM: JN

September 26, 2014

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01794-(1)  
CONDITIONAL USE PERMIT NO. 201400071**

**PROJECT DESCRIPTION**

The project is a request for a conditional use permit in order to authorize the continued operation and maintenance of a wireless telecommunications facilities located on the rooftop of an existing commercial building with equipment cabinets located within the building and a generator located in the parking area subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on October 21, 2029.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation and maintenance of the wireless telecommunications facility and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a



violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$1,600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for Eight (8) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **December 21, 2014**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **Three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PERMIT SPECIFIC CONDITIONS**

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. Upon completion of construction of the facility, the permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
21. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
22. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
23. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

24. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
25. If the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
26. Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
27. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
28. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
32. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
33. The generator shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone, concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from

the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.

34. Upon termination of this grant or after the construction of this facility, if the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.

#### **PROJECT SITE SPECIFIC CONDITIONS**

35. This grant shall authorize the continued operation and maintenance of a wireless telecommunications facility in the M-2 zone.
36. The permittee shall revise the plans to show the height of the proposed structures accurately.
37. The permittee shall provide approvals from the Department of Public Health and the Fire for the existing generator.



Los Angeles County  
Department of Regional Planning  
*Planning for the Challenges Ahead*



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The existing facility is collocated with a public storage facility located within the industrial zone and so mounted behind existing antenna screen walls on the roof of the building, thereby blending in with the existing installation and character of the building; the installation is not detrimental to the abutting and surrounding area nor detrimental to the enjoyment of the surrounding owners.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

Due to the industrial uses and character of the area the existing facility matches the scope, color and design of the existing industrial buildings in the community. the site is virtually unnoticeable as a wireless facility given it's antenna screen wall design and antennas mounted behind the screen walls the new panels will be unnoticeable to the general public.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

the site's location is abutting the public right of way along a major corridor of adequate size and easily accessible by fully improved roads.



MacLeod Consulting Services

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**Verizon Wireless facility upgrade  
Conditional Use Permit  
1747 N. Eastern Avenue  
Los Angeles, CA 90032**

**Norman MacLeod  
Project Manager  
949-235-8812**

**Verizon Wireless site name: Whiteside**

Verizon Wireless LTE antenna upgrade  
1747 N. Eastern Avenue  
APN 5223-037-020

Verizon Wireless proposes the antenna upgrade modification to the existing wireless facility located at 1747 N. Eastern Avenue. The existing facility entitled by CUP No. T200500025 for a roof top facility consisting of 12 panel antennas in three sectors, with 9 mounted behind antenna screen walls and 4 mounted to the existing roof top penthouse and painted to match the building. The related equipment cabinets are located within one of the storage facility rooms. The existing building is a four story commercial Public Storage facility located on property zoned M-2 (Heavy Manufacturing). The properties surrounding the subject site to the south, east and west are zoned M-2 with property to the north zoned C-3 (Unlimited Commercial).

The proposed antenna upgrade consists of replacing four (4) existing panels with new Long Term Evolution panels to provide improved capacity of the existing facility. Three of the replacement panels will be mounted behind the existing panel screen wall on the northwest corner of the building roof top. The proposed fourth antenna replacement panel is to be mounted to the existing penthouse and painted to match. One of the replacement panels located behind screening on the northwest corner of the building is 24" inches taller than the originally installed panel, therefore, the existing screen wall is to be increased in height by 24" in order to fully screen the panel from view. This antenna sector of the facility is facing N. Eastern Avenue and will be fully screened from view with the new screen wall painted to match the existing screening. With the increased height of the screening by 24" the overall height of the screen will be 50'11" at the corner of the building. Verizon Wireless requests the allowance of the antenna screening to exceed the previously approved elevation of 50' thereby ensuring the antenna is screened from view to minimize any visual impacts.

The proposed antenna upgrade consists of adding three (3) new remote radio units (RRU's) to accommodate the upgrade effort of the carrier. The new RRU's will be mounted behind each of the new replacement panel antennas and fully screened from view. The subject site frontage is on N. Eastern Avenue with abutting property being industrial uses and multi density uses across the street. Given the

location fronting along this major corridor combined with the location with the existing wireless installation fully screened and painted to match the existing structure, distance from surrounding residences, the facility upgrade will have no impact on views to surrounding properties. A new LTE equipment cabinet will be mounted within the existing equipment room lease area of the storage building and will not be visible to surrounding properties.

The existing facility has been operating at the current location for nearly a decade providing much needed wireless service to the surrounding community and the general public traveling through the area. The LTE upgrade is for the increased capacity of the existing facility, not an increase in coverage area. The existing facility is adapted to the commercial/commuter setting with the installation design as a building roof top mounted antenna with related equipment mounted within an existing equipment storage room lease area. The new LTE upgrade will improve the site capacity and wireless services to the end user thereby avoiding the need for a new installation and alleviating proliferation of additional wireless facilities in the community.



**verizon**wireless

N Eastern Ave

Medford St

Whiteside St



## Whiteside

1747 N. Eastern Avenue  
Los Angeles, CA 90032

## Aerial Map

### APPLICANT

Verizon Wireless  
15505 Sand Canyon Avenue  
Building "D" 1st Floor  
Irvine, CA 92618

### CONTACT

Base Consulting  
Tod Petty  
28562 Oso Pkwy, D-233  
RSM, CA 92688  
714.292.6542

Completed May 14, 2014



**BLUE WATER DESIGN**  
bluewater-design.net  
michelle@bluewater-design.net  
p 714.473.2942

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.  
Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.





**View 1 Existing**





PROPOSED  
REPLACEMENT ANTENNA  
LOCATION  
(Behind Modified FRP Screen)

**View 1 Proposed**





**View 2 Existing**





PROPOSED  
REPLACEMENT ANTENNA  
LOCATION  
(Behind Modified FRP Screen)

View 2 Proposed





**View 3 Existing**



PROPOSED  
REPLACEMENT ANTENNA  
LOCATION

**View 3 Proposed**





**View 4 Existing**





**View 4 Proposed**

# COUNTY OF LOS ANGELES



## 500' RADIUS MAP

**GC MAPPING SERVICE, INC.**

3055 WEST VALLEY BOULEVARD  
ALHAMBRA CA 91803  
(626) 441-1080 FAX (626) 441-8850

### LEGEND

- SINGLE FAMILY RESIDENCE
- ④ NUMBER OF UNITS

ALL OTHER USES AS SHOWN

CASE NO

DATE 06-17-2014

SCALE 1" = 100'

**LAND USE MAP**

1747 N. EASTERN AVE.  
LOS ANGELES, CA 90032

Address: 11111 1st St., 1st Floor  
San Jose, CA 95128  
(408) 266-7000

SITE NAME: "WHITESIDE"  
1747 N. EASTERN AVE  
LOS ANGELES, CA 90032  
TITLE SHEET  
ZONING DRAWING

		0	T
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of the	the en/c/c/d	0	
42420 of the	the L1/1/1/1/1	0	

[illegible]

PROPOSED CONNECTION TO AN EXISTING VERTICAL WIRELESS COMMUNICATIONS UNLICENSED SUBSTATION TO CONSIST OF THE FOLLOWING: REMOVAL & REPLACEMENT OF FOUR EXISTING PREVIOUSLY APPROVED PANELS WITH THE INSTALLATION OF TWO (2) NEW AND TWO (2) NEW PREVIOUSLY APPROVED PANELS. WORK TO ALSO INCLUDE INSTALLATION OF TWO EXISTING CABLES AND ONE NEW CABLE TO BE RUN WITH EXISTING CABLE TRAY. THE SIZE OF THE EXISTING EQUIPMENT LEASE AREA TO REMAIN UNCHANGED.

AREA OF IMPACT/ENVIRONMENTAL LEASE AREA	NO CHANGE	Y-N	9-2	LEAD	CITY OF LOS ANGELES
CONSTRUCTION TYPE					
OCCUPANCY TYPE					
WORK					
JURISDICTION					

#01 FOR USE CAR DISCLOSEMENT W/IN 15 DAYS OF PURCHASE

## APR 5 2003

SHEET NUMBER	DESCRIPTION
1-1	TITLE SHEET
A-1	SITE PLAN
A-2	COLLARED SITE PLAN AND ADJUTING PLAN
A-3	ELEVATIONS
A-4	ELEVATIONS

- 1 THE MAXIMUM NUMBER OF PREVIOUSLY APPROVED DIRECTIONAL CELLULAR
- 2 ANTENNAS TO REMAIN IS TWELVE (12).
- 3 THE MAXIMUM NUMBER OF ONE ANTENNAS TO BE LOCATED IS ONE (1).
- 4 THE MAXIMUM NUMBER OF PAIRS TO BE LOCATED IS TWO (2).
- 5 THE MAXIMUM NUMBER OF BASE PAIR ANTENNA SITES TO BE LOCATED IS ONE (1).
- 6 THE SIZE, HEIGHT, DIRECTION AND LOCATION OF ANTENNAS SHALL BE ADJUSTED TO
- 7 MEET THE REQUIREMENTS AS REQUIRED.
- 8 THE ANTENNAS SHALL BE IDENTIFIED ON A SIGN, WHICH ARE WITHIN THE VEHICLE, WITHOUT
- 9 LEAVING THE VEHICLE.

RESEARCH IN PROGRESS

APPLICANT  
VERNON WHEELER  
1747 N. EASTERN AVENUE  
BUILDING 0 FIRST FLOOR  
POMONA, CA 92679

APPLICANTS AGENT  
850-208-0870  
1 800-808-6130  
POMONA, CALIFORNIA 92679  
CONTACT: TROY PETTY

ARCHITECT  
CORRAL ELMON INC  
1747 N. EASTERN AVENUE  
POMONA, CA 92679  
CONTACT: TROY PETTY  
CONTACT: RULATAYES

CARRIER  
PUBLIC STORAGE  
1747 N. EASTERN AVENUE  
POMONA, CA 92679  
424 2 266-0387

APPROVED BY	DATE	INITIALS	COMMENTS
RF ENGINEER			
SITE DEV.			
SITE ACQ.			
PM			

ALL WORK AND MATERIALS SHALL COMPLY WITH THE FOLLOWING:

3011 CITY OF LOS ANGELES AMENDED CODE OF BUILDING ORDINANCE  
BASED ON 2010 C.B.C. BASED ON 2009 U.P.C. WITH LA CITY  
AMENDMENTS

3012 CITY OF LOS ANGELES AMENDED ELECTRICAL CODE  
BASED ON 2010 C.E.C. BASED ON 2009 I.A.C. WITH LA CITY  
AMENDMENTS

3013 CITY OF LOS ANGELES AMENDED MECHANICAL CODE  
BASED ON 2010 C.M.C. BASED ON 2009 U.P.C. WITH LA CITY  
AMENDMENTS

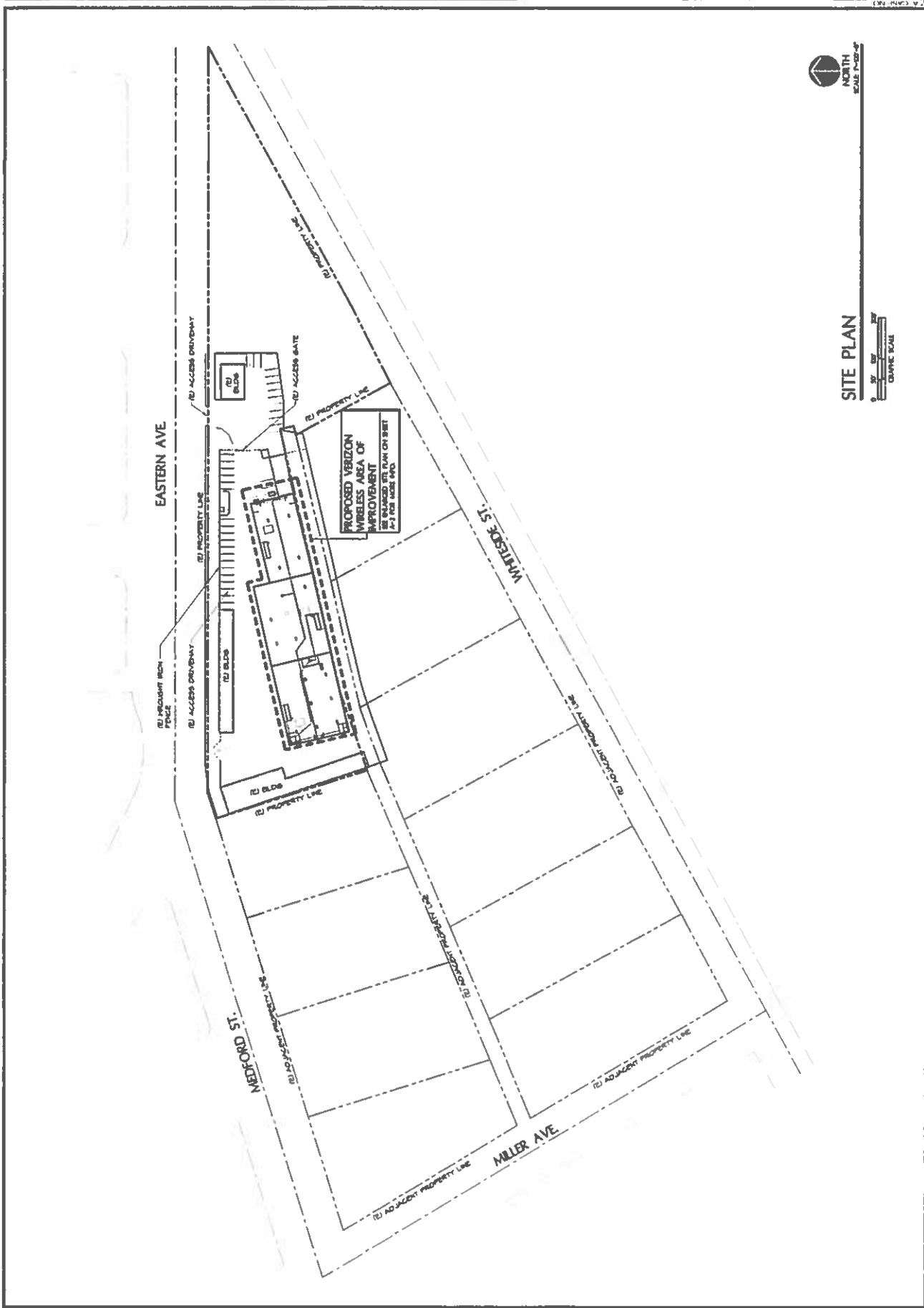
3014 CITY OF LOS ANGELES AMENDED PLUMBING CODE  
BASED ON 2010 C.P.C. BASED ON 2009 U.P.C. WITH LA CITY  
AMENDMENTS

CITY OF LOS ANGELES FIRE CODE

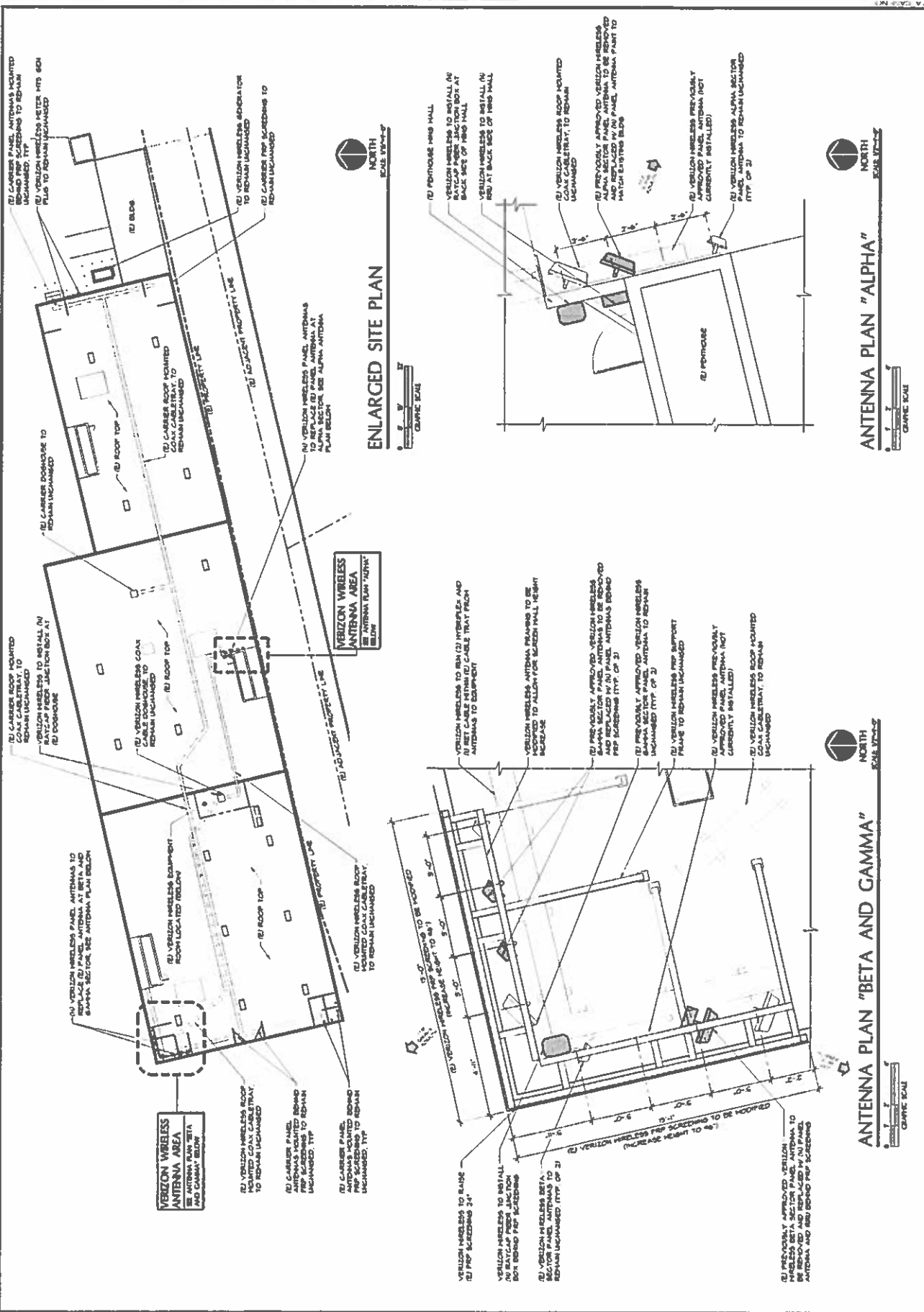
3015 CITY OF LOS ANGELES AMENDED CODE OF BUILDING CODE  
BASED ON 2010 C.B.C. BASED ON 2009 U.P.C. WITH LA CITY  
AMENDMENTS

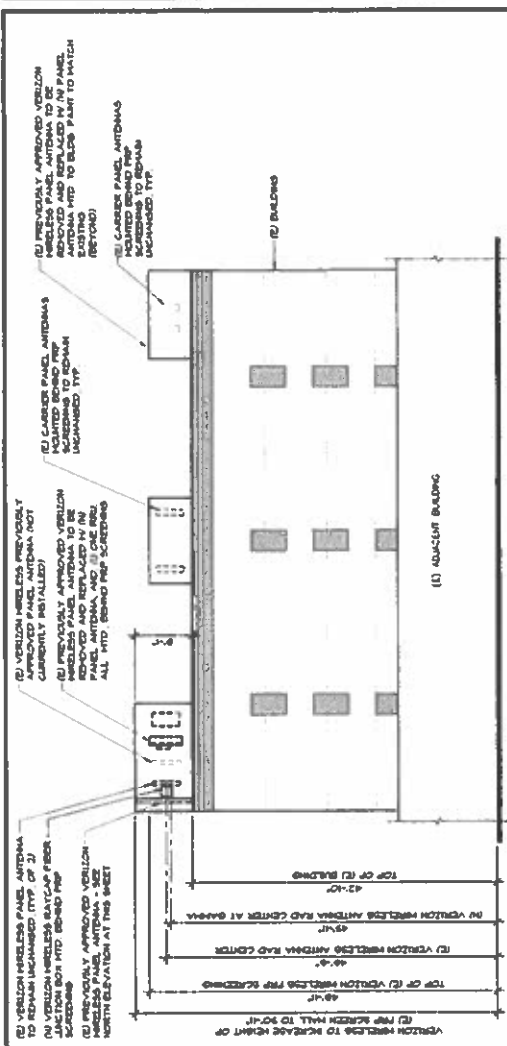
3016 CITY OF LOS ANGELES AMENDED CALIFORNIA CODE OF REGULATORY TITLE 17 PART 11 WITH LA CITY  
AMENDMENTS

3017 ALL APPLICABLE LOCAL, CURRENT OR LATE, TIERED ENVIRONMENTAL REGULATIONS, ORDINANCES, AND BASED ACCESS REGULATIONS  
CONSIDERING LIMITS OF STAGNANT, AND BASED ACCESS REGULATIONS

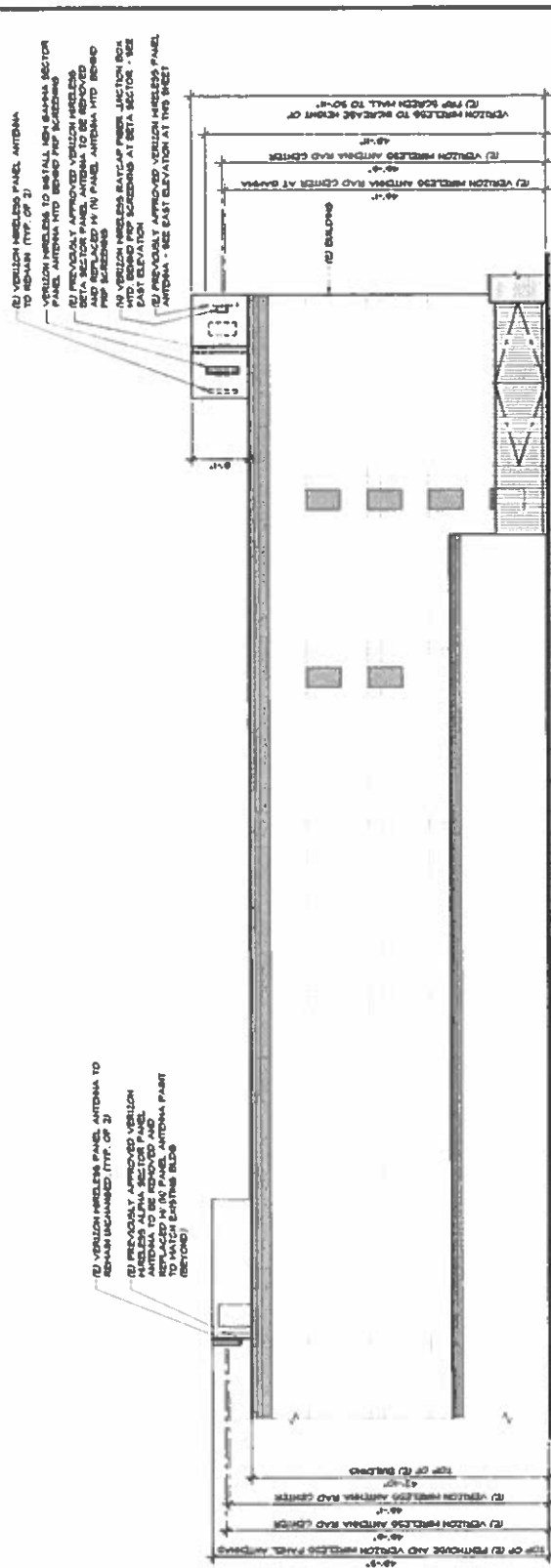








WEST ELEVATION



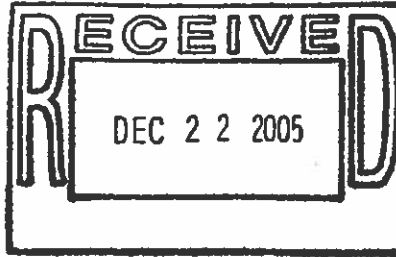
NORTH ELEVATION

SCALE VER-4-07



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



James E. Hartl AICP  
Director of Planning

December 14, 2005

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Todd Smith  
Daly International  
8 Corporate Park, Suite 250  
Irvine, CA 92606

**RE: PROJECT NO. R2005-00223-(1)**  
**CONDITIONAL USE PERMIT NO. T200500025**  
To install, operate and maintain an unmanned wireless telecommunications facility  
1747 N. Eastern Avenue, East Los Angeles, City Terrace Zoned District

Dear Applicant:

**PLEASE NOTE:** This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter pertaining to this approval, please contact the Zoning Permits Section II at (213) 974-6435.



**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** The applicant, Verizon Wireless, is requesting authorization for the installation, operation and maintenance of an unmanned wireless telecommunications facility to be located on the rooftop of an existing self-storage building in zone M-2 (Heavy Manufacturing).

**FACTUAL SUMMARY:**

November 1, 2005 Public Hearing

A duly noticed public hearing was held on November 1, 2005. No public testimony was taken regarding this request.

After staff's presentation the Hearing Officer closed the public hearing and stated his intent to approve the project.

**Findings**

1. The applicant, Verizon Wireless, is requesting authorization for the installation, operation and maintenance of an unmanned wireless telecommunications facility to be located on the rooftop of an existing self-storage building in zone M-2 (Heavy Manufacturing).
2. The wireless facility will consist of 12 panel antennas wall-mounted on existing stairway penthouses, eight to be located on the west side of the building, four to be located on the east side of the building. Five equipment cabinets will be located within the building, and an emergency generator will be placed in the parking lot.
3. The subject property is located at 1747 N. Eastern Avenue, East Los Angeles, and in the City Terrace Zoned District.
4. The existing 70,280 square foot subject property is triangular in shape with relatively level topography. The subject property is developed with a self-storage facility that includes two storage buildings and an office building. The applicant will be leasing 400 square feet for the facility.
5. The subject property is zoned M-2 (Heavy Manufacturing).
6. The properties surrounding the subject property to the south, east and west are zoned M-2, properties to the north are zoned C-3 (Unlimited Commercial).
7. The subject property is developed with a self-storage facility consisting of one four-story building, one single-story building, a single-story office, and 33 parking spaces.

8. The surrounding properties are developed as follows: north: commercial and multi-family residential, south: industrial, east: commercial and industrial, and west: industrial.
9. There are two previous zoning cases noted on the subject property, Parking Permit No. 87-489 and Conditional Use Permit No. 01-100.
10. PK 87-489 approved the development of a self-storage building with less than required parking. A self-storage building is permitted in the M-2 zone, only a parking permit for less than required parking was required. In 1987 parking for self-storage buildings was one parking space for every 1,000 square feet of storage space. 94 parking spaces were required, 48 parking spaces were provided. CUP 87-489 was approved April 20, 1988 and does not have an expiration date.
11. CUP 01-100 approved the installation and operation of an unmanned wireless telecommunications facility including (2) sections of (3) antennas on the rooftop of the building and associated equipment located within the building. The applicant in this case was AT&T/Cingular, not the current applicant. CUP 01-100 was approved June 19, 2002 and expires June 30, 2012.
12. The subject property is designated as Industrial within the East Los Angeles Community Plan. The East Los Angeles Community Plan encourages industrial development and defines the industrial category as those areas "suitable for large scale industrial uses such as heavy manufacturing, large warehouses and research and development".
13. The proposed facility antennas will be roof mounted to an existing building and the antennas will be screened to minimize visual impact. The proposed unmanned wireless telecommunications facility will provide increased wireless telephone service to the local community. The proposed project, appropriately conditioned, is compatible with the Industrial land use classification of the East Los Angeles Community Plan.
14. The subject property is located within the East Los Angeles Community Standards District (CSD). The East Los Angeles Community Standards District was established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles. The East Los Angeles CSD is necessary to ensure that the goals and policies of the East Los Angeles Community Plan are accomplished in a manner that protects the health, safety and general welfare of the community. The applicable development standards of the East Los Angeles Community Standards District per Section 22.44.118 are as follows:

15. Community-wide Development Standards

The maximum height of any structure shall be 40 feet except that devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height or as otherwise specified in this section; said heights may be modified subject to a conditional use permit. (Section 22.44.118.C.2.) However, Section 22.44.118.D Zone Specific Standards for the East Los Angeles CSD, the maximum height for the M-2 zone is 35 feet.

The applicant is requesting two locations for the rooftop facilities. Both sets of antennas are to be located on existing penthouses adjacent stairway locations. The subject building is 42'0" in height, with the penthouses extending to 49'9" in height.

16. A wireless telecommunications facility is a use not specified in Title 22 of the Los Angeles County Code (Zoning Ordinance). However, the proposed use may be considered a utility. Furthermore, until such times as the County of Los Angeles adopts telecommunication provisions to the existing Zoning Ordinance, the County of Los Angeles requires a conditional use permit for such a use.
17. At the time the self-storage building was constructed (in the 1980's) the parking requirements was one parking space for every 1,000 gross square foot of warehouse, plus two covered parking spaces for the caretaker; 94 parking spaces were required at that time. Parking Permit No. 87-489 was approved on the site to allow less than required parking.
18. Per Section 22.52.1320.B.2 of the Code, parking spaces for self-storage facilities is calculated as one parking space for every 7,000 gross square feet. 13 parking spaces are required for the warehouse. The applicant's site plan depicts 33 parking spaces, although the placement of the emergency generator will be removing two parking spaces.
19. The Department of Regional Planning has determined that the project is categorically exempt (Class 1 – Existing Facilities, Class 3 – Construction of Small Structures) from CEQA requirements.
20. A total of 91 public hearing notices were mailed out to property owners within 500 feet of the subject property and to residents and community groups on the City Terrace Zoned District courtesy list on September 22, 2005 regarding the subject request. The notice was published in the East LA Tribune and La Opinion on September 22 2005. The property was posted on September 20, 2005, which meets the 30-day required posting.
21. No public comments were received regarding this request.

22. The project applicant is proposing to construct an unmanned wireless telecommunications facility in order to improve wireless telecommunications service provisions in the local area. The proposed facility is small in nature and visually unobtrusive; the antennae panels will be covered with protective screening painted to match the building, and the equipment cabinets will be indoors and totally concealed.

23. Properly conditioned, the proposed telecommunications facility is compatible with the General Plan and the surrounding land uses.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

AND THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

- 1. I have considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
- 2. In view of the findings of fact presented above, Project No. R2005-00223-(1)/Conditional Use Permit Case No. T2005000025 is **APPROVED**, subject to the attached conditions.

BY: 

DATE: 12-14-05

John Gutwein, Hearing Officer  
Department of Regional Planning  
County of Los Angeles

Attachments: Conditions  
Affidavit

c: Each Commissioner, Zoning Enforcement, Building and Safety,

1. This grant authorizes the use of the subject property for the installation, operation and maintenance of an unmanned wireless telecommunications facility consisting of 12 panel antennas on the rooftop of an existing commercial building, equipment cabinets located within the building and an emergency generator located in the parking lot, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. **This grant will terminate on November 1, 2015.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$750.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 5 biennial inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a

hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
15. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
16. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
17. Said facility shall be removed if in disuse for more than six months.
18. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
19. Said facility shall be screened from view to the satisfaction of the Director of Planning. The panel screening shall be painted a neutral color to match the existing building, excluding black, and shall be maintained in good condition at all times.
20. The permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning.



21. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities.
22. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.
23. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility.
24. No antennas or antenna screen placed on the rooftop of the existing building shall exceed 50'0" above finished grade.
25. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.

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